

PUBLIC NOTICE

**MAYOR'S COMMITTEE FOR PEOPLE WITH DISABILITIES**

**AGENDA**

**6:30 P.M., October 18, 2010**

**CITY HALL, CITY HALL CAFETERIA**

Newton City Hall, 1000 Commonwealth Avenue, Newton, MA  
02459

1. **Minutes:** Consider approval of the minutes from the September 13 and September 16 of the meeting of the Mayor's Committee for People with Disabilities.
2. **Discussion and presentation:** Changes to the Open Meeting Law.
3. **Project Report:** CDBG funded access projects.
4. **Report:** Report on the activities of the Fair Housing Committee by Girard Plante.
5. **Discussion:** Scheduling a Newton North High School site visit.
6. **Discussion and Recommendations:** David Koses, Transportation Planner requesting a handicap parking space on Jackson Road in the vicinity of the Jackson Homestead and Alderman Linsky requesting an evaluation of the potential modification to the handicapped space on Madison Avenue created by TC2-09.
7. **Update:** Actions taken by the Land Use Committee on Chestnut Hill Square and the HP parking waiver at 244 Adams St. Palumbo. City's new guidelines on accessibility in affordable housing.
8. **Other Business**

The location of this meeting is handicap accessible, and reasonable accommodations will be provided to persons requiring assistance. If you have a special accommodation need, please contact Kathleen Cahill by phone at (617) 796-1125, by email at [kcahill@newtonma.gov](mailto:kcahill@newtonma.gov) or via TDD/TTY at (617) 796-1089.

## **MAYOR'S COMMITTEE FOR PEOPLE WITH DISABILITIES MINUTES**

September 13, 2010 City Hall, Rm 209, 7:30 p.m.  
1000 Commonwealth Avenue, Newton, Massachusetts 02459

### **Members Present:**

Jane Brown  
Jini Fairley  
Rob Caruso, Co-Chair  
Lucie Chansky  
Rosemary Larking  
Barbara Lischinsky  
Girard Plante, Co-Chair

### **Staff Present:**

Kathleen Cahill, Community Development Senior Planner  
Lowell Haynes, Community Development Planner

### **Public Present:**

Michael Lepie  
Sandra Lingley  
Michelle Hayes  
Cindy Kane  
Josephine McNeill  
Ruth Smith

### **1. Discussion: Citizens for Affordable Housing in Newton Development Organization, Inc. (CAN-DO)**

- **Barriers to achieving accessibility in the development of small affordable housing projects**
- **Accessible units at CAN-DO's Webster St development**
- **CAN-DO's current criteria for site selection**
- **CAN-DO's approach to incorporating accessibility going forward**

R. Caruso, Co-chair, called the meeting to order at 7:30 p.m.

Josephine McNeil provided some background on Citizen for Affordable Housing in Newton Development Organization Inc. (CAN-DO). The Organization was incorporated in 1994 and begun development in 1996. CAN-DO was started with HOME funds as the City's only Community Housing Development Organization (CHDO). A total of 36 units of housing have been developed by CAN-DO. Thus far, requirements for accessibility have not been triggered because CAN-DO has only developed smaller properties that do not trigger accessibility. A fully accessible wing was added to CAN-DO's Webster Street development, which is a group home. This development includes three bedrooms and one bathroom.

The Veteran House experience has taught CAN-DO to incorporate accessibility into the organization's site selection process along with proximity to transit, services, and other necessities.

One member of the Board asked CAN-DO if they have sought funding for accessible housing at the state level. Ms. McNeil indicated that CAN-DO has been unsuccessful in receiving state funds for non-specialized housing.

CAN-DO hopes to find a two-family that can be converted to accessible units. The Mayor's Committee and CAN-DO agreed that going forward they will work together to increase accessible, affordable housing.

**2. Action Item: Consideration of the approval of the July 12, 2010 and August 6, 2010 minutes**

The July 12, 2010 minutes and August 6, 2010 minutes will be amended to include Barbara Lischinsky as one of the attendees. R. Larking moved that the minutes be approved as amended. J. Brown seconded the motion and the Committee voted 7-0-0 to approve the minutes, as amended.

**3. Discussion: Re-docketing request for two handicap parking spaces on Walnut Street**

The Committee discussed the Alderman Linsky's request to the Traffic Council to re-evaluate a potential modification to the handicapped space on Madison Avenue created by HP2-09 on December 17, 2009. The consensus among the Mayor's Committee was that members were in favor of the re-evaluation.

**4. Report: Report on projects funded with CDBG access funds**

K. Cahill provided a report on the ongoing access projects funded with CDBG money. These projects include: Accessible Pedestrian Signals, Charlesbank Playground, Curb Cuts, Retrofitting Curb Cuts, Nahanton Accessible Pathway and Handicap Parking Space, Newton Centre Accessible Pathway and Handicap Parking Spaces, Newton Community Service Center – Auditorium Ramp, Historic Newton/The Jackson Homestead – Archives Preservation and Access, and Projects to be Determined.

The Committee spent some time discussing the intersection of Washington and Commonwealth Avenue. A total of \$65,000 in mitigation funds were allocated to the intersection, all of which was expended on improvements to traffic signals. The Committee feels strongly that City funds should be used to pay for the accessible improvements at the intersection instead of CDBG Accessible Pedestrian Signal

funds. The Committee requested that staff communicate this to the Mayor, in addition to establishing a policy about mitigation funds and accessibility going forward.

**5. Report: Report on Transportation Forum and Fair Housing Committee Meeting (Girard Plante)**

G. Plante provided a report on the recent Fair Housing Committee meeting. The Committee has been focusing on affordable, accessible housing. Barbara Chandler, the City's accessibility consultant met with the Committee about accessibility needs related to the City's compliance with accessibility regulations.

**6. Other Business: Reminder about website development work**

K. Cahill reminded the Committee about their project to review websites of Disability Commissions in Massachusetts in order to improve the Mayor's Committee's own webpage.

K. Cahill mentioned that she had received a complaint concerning the automatic door opener at Shing Yee, a restaurant in West Newton. She plans to file a complaint on behalf of the Mayor's Committee if the Committee is supportive. There have been several complaints concerning the non-working status of the door opener over the past couple years. The Committee is supportive of staff filing a complaint on behalf of the Mayor's Committee.

One member of the Committee mentioned that the paving work being done at Newtonville and Harvard Street has presented a dangerous situation for pedestrians, particularly those with visual impairments. Leftover pipes and stones are being stored on the sidewalks with no blockades alerting people with visual impairments of the danger. K. Cahill will speak to DPW about this situation.

Meeting adjourned at 8:45 p.m.

## **MAYOR'S COMMITTEE FOR PEOPLE WITH DISABILITIES MINUTES**

September 16, 2010 City Hall, Rm 209, 6:30 p.m.  
1000 Commonwealth Avenue, Newton, Massachusetts 02459

### **Members Present:**

Jane Brown  
Jini Fairley  
Rob Caruso, Co-Chair  
Lucie Chansky  
Rosemary Larking  
Barbara Lischinsky  
Girard Plante, Co-Chair

### **Staff Present:**

Kathleen Cahill, Community Development Senior Planner  
Robert Muollo, Housing Development Planner

### **Public Present:**

Barbara Chandler  
Ben Kief

G. Plante, Co-chair, called the meeting to order at 6:30 p.m.

Barbara Chandler provided some background on the Fair Housing Committee's effort to evaluate the City's ability to meet accessibility compliance by hiring Metropolitan Boston Housing Partnership to complete a city-wide system analysis. Ms. Chandler is in the process of interviewing department heads, citizen committees, and housing providers. She will be completing a report summarizing her findings and issuing recommendations.

Ms. Chandler asked the Committee questions about their experience and training. Several members indicated that they had received training on the ADA, Section 504, and the Fair Housing Act.

The Committee believes that some of the housing units designated and marketed as accessible are not truly accessible. The Committee attributes this to discrimination on the part of housing providers and a lack of enforcement on the part of the City. Several members have experienced discrimination when seeking a rental situation. They believe this is due in large part to a lack of education.

There was a discussion about the Committee's transition to a Commission. The Committee believes that becoming a Commission will enable them to increase their educational efforts throughout the City. Mayor Warren has been supportive of this transition. The Mayor is waiting to docket this action with the Board of Aldermen in order to obtain more information about parking violation funds. The Committee

would also like to be part of the update of the ADA Transition Plan and take the lead in investigating and responding to discrimination complaints, which are now heard by the Human Rights Commission.

The Committee would like to see an attitudinal shift in the New Housing Authority and more education on accessibility to this entity. They also believe that additional education is necessary for Inspectional Service Department staff. Members believe that the Committee should be at the forefront of the Mayor and the Board of Aldermen's agenda. The Committee would like to have additional staff capacity and a half-time ADA Coordinator (at least).

One member of the Committee stated that the City does an excellent job of meeting the needs of those with intellectual disabilities, including the provision of housing.

Ms. Chandler thanked the Committee for their time and invited them to attend a public forum on accessibility at Druker Auditorium on October 4, 6:30 – 8:30 p.m. She requested that the Committee spread the word about the forum.

Meeting adjourned at 8:30 p.m.

**Mayor's Committee for People with Disabilities**  
**CDBG Access Projects Report**  
**October 18, 2010**

**Accessible Pedestrian Signals** (Project CD10-03D. Expended, \$7,818; Budget balance: \$17,995; CD10-03D). Centre St. and Centre Ave. is a priority intersection; however it is on-hold pending a final decision by the Newton Corner Advisory Committee. The MCPD has requested that APS improvements at Washington St. and Commonwealth Ave. be made by the City. Other priority locations submitted to traffic engineering include: Washington and Beacon as well as Washington Street by Newton-Wellesley Hospital. A quote for Washington Street by Newton-Wellesley Hospital was submitted to the City and needs to be considered by the MCPD.

**Charlesbank Playground** (Project CD0903C. Budget balance, \$30,000). Phase I includes new play equipment and swings on top of rubberized safety surfacing, a new accessible entrance ramp, accessible benches and picnic tables, and planting of new trees and shrubs. CDBG access funds will pay for the accessible entrance ramp. Charlesbank has been excavated and the contractor plans to complete the project by the end of November.

**Curb Cuts** (Project CD1003C, Expended \$19,972.92 Budget balance, \$130,857, Project CD1103G Budget: \$78,000). Crafts @ Watertown Street in progress. Traffic Engineer evaluating design for Walnut @ Newtonville and @ Austin Street. Ward Aldermen and abutters notified of changes to Lowell @ Washington. Staff working with abutters to rectify concerns.

**Retrofitting Curb Cuts** (Project CD0903E, Budget balance, \$6,000). A total of 7 locations (Homer Street, Beacon St. @ Dalton, Centre Green @ Langley, 1188 Centre Green, 82 Lincoln Street, 100 Walnut Street, 28 Commonwealth St) (19 curb cuts) were fitted with tactile warnings. Project 70% complete; although tactile surfaces have been added to these intersections 6 curb cuts (at two locations) would benefit from a re-do.

**Nahanton Accessible Pathway and Handicap Parking Space** (CDR09-03, Budget balance: \$30,000)

Project includes retrofitting park for handicap accessibility through the construction of an accessible pathway and the addition of a van accessible parking space. Construction began mid-September. Project 50% complete.

**Newton Community Service Center – Auditorium Ramp** (CD11-03E, Budget balance: 5,000). Construction of an accessible ramp in the auditorium of the organization's Waltham Street location. Law Department reviewing draft agreement.

**Historic Newton/The Jackson Homestead – Archives Preservation and Access** (CD1103F, Budget balance \$40,000). Construction of an accessible ramp into the entrance of the Jackson Homestead. Design work being finalized.

**Project(s) to be Determined** (CD1103H, Budget balance \$8,000). These are unallocated funds reserved for projects recommended for funding by the MCPD on a rolling basis.



## **ACCESSIBILITY IN AFFORDABLE HOUSING**

### **GUIDELINES**

The City of Newton is committed to ensuring that persons of all ages and abilities can participate in affordable housing opportunities without barriers that limit their access to this valuable resource. In its efforts to expand the stock of affordable housing and secure barrier-free use by its residents and to assure that Newton is a diverse and welcoming community, the City of Newton encourages developers who seek public funds for affordable housing to exceed the minimum legal requirements for accessibility applicable to the program from which funding is sought.

These guidelines will be reevaluated annually to ensure that the goal of producing more units of accessible affordable housing is being met and to reaffirm the City's commitment to principles of equality and inclusion in housing choice in order to meet identified local needs and goals.

### **PROCESS**

The following steps will be taken to publicize these guidelines and encourage applicants to enhance the accessibility of their projects to the extent that it is financially feasible:

1. The City will post its guidelines on the Community Preservation and Housing Development sections of the Planning and Development Department pages on the City website.
2. The guidelines will also be included in the project application form and/or packet, along with some ideas for accessibility enhancements.
3. Applicants will be asked to meet with the City's Development Review Team (DRT) early in the design/development process; the DRT is an existing team of City staff members from several departments who provide feedback and direction to applicants relative to applicable laws and policies. The team will advise applicants of the City's accessibility in affordable housing guidelines, will assess the suitability of proposed sites for accessible and affordable housing, and will help them to identify ways to enhance accessibility features appropriate to a site and/or structure. A member of the Mayor's Committee for People with Disabilities will be invited to attend DRT meetings when affordable housing proposals are reviewed.
4. Accessibility features will be listed in the project application. The Planning and Development Department's staff memo to the review bodies will include the developers' efforts to maximize the accessibility of their projects.